

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

COMMITTEE TO RESTORE ARKANSANS' RIGHTS

PLAINTIFF

v.

Case No. 4:18-cv-00333-KGB

**LESLIE RUTLEDGE, in her capacity as
Attorney General for the State of Arkansas**

DEFENDANT

DRIVING ARKANSAS FORWARD

INTERVENOR-PLAINTIFF

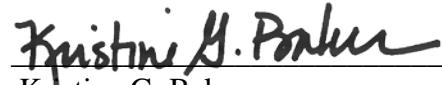
ORDER

This matter concerns a complaint for declaratory judgment, permanent injunction, and emergency hearing filed by plaintiff Committee to Restore Arkansans' Rights ("Committee"), which was initially filed in the Circuit Court of Pulaski County, Arkansas (Dkt. No. 2). The case was removed to this Court by defendant Leslie Rutledge, in her capacity as Attorney General for the State of Arkansas, on May 18, 2018 (Dkt. No. 1). In their complaint, plaintiffs challenge the constitutionality of Arkansas Code Annotated § 7-9-107(c) as it pertains to ballot initiative measures in the State of Arkansas. Plaintiffs purport to base that challenge, in part, on the First Amendment to the United States Constitution.

Before the Court is an emergency motion to dismiss pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure filed on May 18, 2018, by the Committee and intervenor-plaintiff Driving Arkansas Forward (Dkt. No. 8). In their emergency motion to dismiss, plaintiffs submit that they are under a June 6, 2018, deadline to publish an approved and certified proposed ballot measure and a July 6, 2018, deadline to obtain the required signatures in support of their proposed ballot measure (Dkt. No. 8, ¶ 1). Plaintiffs wish to dismiss voluntarily this action without prejudice in order to refile their action in state court (*Id.*, ¶ 4). Plaintiffs request the Court give expedited consideration to their motion (*Id.*, ¶ 5).

Through informal communications with the Court, Attorney General Rutledge has requested an opportunity to respond to any motions or requests for voluntary dismissal filed by plaintiffs. Attorney General Rutledge represents that she can adequately respond to plaintiffs' pending motion by Tuesday, May 22, 2018. Also through informal communications with the Court, plaintiffs have requested an expedited hearing on this matter. At this time, the Court declines to conduct a hearing on this matter. The Court directs Attorney General Rutledge to file a response to plaintiffs' motion to dismiss on or before Tuesday, May 22, 2018.

It is so ordered this the 18th day of May, 2018.



Kristine G. Baker
Kristine G. Baker
United States District Judge